

<b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> (37 CFR 1.63)	<b>Attorney Docket Number</b>	BEAR-004
	<b>First Named Inventor</b>	Yoshinari Kumagai et al.
	<b>Application Number</b>	09/642,609
	<b>Filing Date</b>	August 17, 2000
	<b>Group Art Unit</b>	To Be Assigned
	<b>Examiner Name</b>	To Be Assigned

— Declaration Submitted with Initial Filing      OR      X Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHODS AND COMPOSITIONS FOR REDUCING SERUM PHOSPHATE LEVELS

the specification of which:

— is attached hereto

OR

X was filed on August 17, 2000 as United States Application Number or PCT International Application Number 09/642,609 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined by 37 CFR 1.56.

Insofar as the subject matter of each of the claims of this application are not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

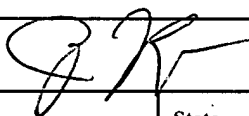
I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designating at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) having a filing date before that of the application(s) of which priority is claimed.

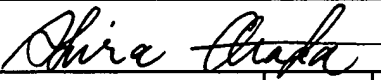
Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			— — — —	— — — —	— — — —

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)
60/152,046	09/02/1999

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application(s) designating the United States of America, listed below.					
<b>U.S. Parent Application or PCT Parent Number</b>		<b>Parent Filing Date (MM/DD/YYYY)</b>		<b>Parent Patent Number (if applicable)</b>	
As a named inventor, I hereby appoint the following registered practitioner(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:					
<b>Name</b>		<b>Registration Number</b>		<b>Name</b>	
<b>Registration Number</b>		<b>Name</b>		<b>Registration Number</b>	
Karl Bozicevic	28,807	Bret E. Field	37,620		
Carol L. Francis	36,513	Pamela J. Sherwood	36,677		
Dianna L. DeVore	42,484	Paula A. Borden	42,344		
Alan W. Cannon	34,977	Nicole Verona	P47,153		
<b>DIRECT ALL CORRESPONDENCE TO:</b>					
<b>Name</b>	Karl Bozicevic				
<b>Address</b>	BOZICEVIC, FIELD & FRANCIS LLP				
<b>Address</b>	200 Middlefield Road, Suite 200				
<b>City, State, Zip</b>	Menlo Park, CA 94025				
<b>Country</b>	U.S.A.	<b>Telephone</b>	650-327-3400	<b>Facsimile</b>	650-327-3231

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.							
<b>Name of Sole or First Inventor:</b>							
<b>Given Name (first and middle [if any])</b>				<b>Family Name or Surname</b>			
YOSHINARI				KUMAGAI			
<b>Inventor's Signature</b>						<b>Date</b>	9/15/00
<b>Residence: City</b>	Foster City	<b>State</b>	CA	<b>Country</b>	U.S.A.	<b>Citizenship</b>	Japan
<b>Post Office Address</b>	914 Beach Park Blvd., #84						
<b>Post Office Address</b>	914 Beach Park Blvd., #84						
<b>City</b>	Foster City	<b>State</b>	CA	<b>Zip</b>	94404	<b>Country</b>	U.S.A.

<b>Name of Second Inventor:</b>							
Given Name (first and middle [if any])				Family Name or Surname			
AKIRA				OTAKA			
Inventor's Signature						Date	Sep. 19, 2000
Residence: City	Osaka	State		Country	Japan	Citizenship	Japan
Post Office Address	1-66-5-204, Kuzuha, Hirakata						
Post Office Address	1-66-5-204, Kuzuha, Hirakata						
City	Osaka	State		Zip	573	Country	Japan

F:\DOCUMENT\BEAR (formerly 8302)\004\BEAR-004 decl &amp; poa.wpd

OFFICE  
OCT 24 2000  
PATENT & TRADEMARK OFFICE

Handwritten marks and number 3

**STATEMENT CLAIMING  
SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27 (c))  
SMALL BUSINESS CONCERN**

Attorney Docket	BEAR-004
First Named Inventor	Yoshinari Kumagai et al.
Application Number	09/642,609
Filing Date	August 17, 2000
Title	Methods and Compositions for ...

I hereby state that I am:

☐ the owner of the small business concern identified below:  
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN: Big Bear Bio, Inc.  
ADDRESS OF SMALL BUSINESS CONCERN: 1660 South Amphlett Boulevard  
San Mateo, California 94402 *8K 9/15/00*

I hereby state that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 121 for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

☐ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention must file separate statements as to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or by a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

☒ no such person, concern, or organization exists.  
☐ each such person, concern, or organization is listed below.

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate statements are required from each named person, concern or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

SIGNATURE \_\_\_\_\_

DATE: Sep. 15, 2000

NAME OF PERSON SIGNING: Yoshinari Kumagai

TITLE IN ORGANIZATION OF PERSON SIGNING: President and CEO

ADDRESS OF PERSON SIGNING: 1660 Amphlett Boulevard, San Mateo, California 94402